

**SALE OF FIREWORKS ON AND BEFORE CERTAIN
HOLIDAYS; AFFECTING A PROVISION SUBJECT TO A
CRIMINAL PENALTY**

CHAPTER 710

H.B. No. 1150

AN ACT

**relating to the sale of fireworks on and before certain holidays; affecting a provision
subject to a criminal penalty.**

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 2154.202, Occupations Code, is amended by amending Subsection (g) and adding Subsection (h) to read as follows:

(g) *Except as provided by Subsection (h), a [A] retail fireworks permit holder may sell fireworks only to the public, and only during periods:*

- (1) beginning June 24 and ending at midnight on July 4;
- (2) beginning December 20 and ending at midnight on January 1 of the following year; and
- (3) beginning May 1 and ending at midnight on May 5 if the fireworks are sold at a location that is not more than 100 miles from the Texas–Mexico border and that is in a county in which the commissioners court of the county has approved the sale of fireworks during the period.

(h) *In addition to the periods during which the sale of fireworks is authorized under Subsection (g), the commissioners court of a county by order may allow a retail fireworks permit holder to sell fireworks in that county only to the public and only during one or more of the following periods:*

- (1) *beginning February 25 and ending at midnight on March 2;*
- (2) *beginning April 16 and ending at midnight on April 21; and*
- (3) *beginning the Wednesday before the last Monday in May and ending at midnight on the last Monday in May.*

SECTION 2. Section 352.051(b)(1), Local Government Code, is amended to read as follows:

(1) The Texas Forest Service in the ordinary course of its activities shall determine whether drought conditions, as defined under Subsection (a)(2), exist on average in any county requesting such a determination. The Texas Forest Service shall make available the measurement index guidelines used to determine whether drought conditions exist in a particular area. Following any determination that such drought conditions exist, the Texas Forest Service shall notify said county or counties when such drought conditions no longer exist. The Texas Forest Service shall make its services available each day during the *Texas Independence Day, San Jacinto Day, Memorial Day, Fourth of July, and December fireworks seasons* to respond to the request of any county for a determination whether drought conditions exist on average in the county.

SECTION 3. Section 352.051(d), Local Government Code, is amended to read as follows:

(d) To facilitate compliance with an order adopted under Subsection (c), the order must be adopted before:

- (1) *February 15 of each year for the Texas Independence Day fireworks season;*
- (2) *April 1 of each year for the San Jacinto Day fireworks season;*
- (3) *April 25 of each year for the Cinco de Mayo fireworks season;*
- (4) *May 15 of each year for the Memorial Day fireworks season;*
- (5) ~~[(2)]~~ *June 15 of each year for the Fourth of July fireworks season; and*

(6) [(3)] December 15 of each year for each December fireworks season.

SECTION 4. This Act takes effect September 1, 2015.

Passed by the House on May 13, 2015: Yeas 139, Nays 5, 1 present, not voting; passed by the Senate on May 27, 2015: Yeas 31, Nays 0.

Approved June 17, 2015.

Effective September 1, 2015.

**REQUIRING THE TEXAS EDUCATION AGENCY TO
CONDUCT A STUDY TO DEVELOP A WRITING ASSESSMENT
METHOD FOR PUBLIC SCHOOL STUDENTS AND
ESTABLISH A PILOT PROGRAM TO ADMINISTER THE
ASSESSMENT METHOD DEVELOPED**

CHAPTER 711

H.B. No. 1164

AN ACT

relating to requiring the Texas Education Agency to conduct a study to develop a writing assessment method for public school students and establish a pilot program to administer the assessment method developed.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subchapter B, Chapter 39, Education Code, is amended by adding Section 39.02301 to read as follows:

Sec. 39.02301. WRITING ASSESSMENT STUDY; PILOT PROGRAM. (a) During the 2015–2016 school year, the agency, in coordination with the entity that has been contracted to develop or implement assessment instruments under Section 39.023, shall conduct a study to develop a writing assessment method as an alternative to the writing assessment instruments required under Sections 39.023(a) and (c). The writing assessment method must be designed to assess:

(1) a student's mastery of the essential knowledge and skills in writing through timed writing samples;

(2) improvement of a student's writing skills from the beginning of the school year to the end of the school year;

(3) a student's ability to follow the writing process from rough draft to final product; and

(4) a student's ability to produce more than one type of writing style.

(b) During the 2016–2017 and 2017–2018 school years, the agency shall establish a pilot program as provided by this section to implement in designated school districts the writing assessment method developed under Subsection (a).

(c) The agency shall designate school districts to participate in the pilot program as provided by this subsection. The pilot program must include at least one large urban district, one medium-sized district, and one rural district. Each district included must have a student enrollment that is representative of diverse demographics and socioeconomic backgrounds. To the extent practicable, the agency shall designate the number of districts the agency determines appropriate to achieve the cost savings described by Subsection (d).

(d) A school district designated to participate in the pilot program under this section is not required to comply with the writing assessment requirements under Sections 39.023(a) and (c) during the period the district is participating in the pilot program. The agency shall, to the greatest extent practicable, apply cost savings that result from the exemption under this subsection to offset the costs accrued under this section.